

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JORGE M.F.,<sup>1</sup>  
Plaintiff,

v.

DAVID JENNINGS, et al.,  
Defendants.

Case No. 21-cv-01434-JST

**ORDER TO SHOW CAUSE WHY  
CASE SHOULD NOT BE STAYED**

Re: ECF No. 29

Before the Court is Petitioner's petition for writ of habeas corpus. ECF No. 1. On April 14, 2021, this Court granted Petitioner's motion for a preliminary injunction on the grounds that Petitioner had made the requisite showing of "serious questions going to the merits" of his due process claims. *See* ECF No. 19. Respondents have appealed that order. ECF No. 29.

A district court's discretion to stay proceedings "is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). Whether to stay proceedings is entrusted to the discretion of the district court. *See id.* 254-55 ("How this can best be done calls for the exercise of judgment, which must weigh competing interests and maintain an even balance.").

In light of the foregoing, the Court hereby **ORDERS THE PARTIES TO SHOW CAUSE** why this case should not be stayed pending the resolution of Respondents' appeal of the Court's preliminary injunction order. The parties are ordered to file simultaneous briefs of no more than 5

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<sup>1</sup> The Court partially redacts Plaintiff's name to mitigate privacy concerns, as suggested by the Committee on Court Administration and Case Management of the Judicial Conference of the United States.

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pages on or before July 21, 2021. If no party files a responsive brief, the Court will stay this case.  
The case management conference currently scheduled for September 14, 2021, is hereby  
VACATED.

**IT IS SO ORDERED.**

Dated: July 7, 2021

  
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JON S. TIGAR  
United States District Judge